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NOTIFICATION.

No. L.D. 1387—Legis. 55-52.1, Bangalore, dated 24th November 1952.

Ordered that the Mysore Cinemas (Regulation) Act, 1952 which received the assent of the Rajpramukh on the 6th day of November 1952, be published as Mysore Act No. XXXI of 1952 in the *Mysore Gazette*, for general information.

MYSORE ACT NO. XXXI OF 1952.

THE MYSORE CINEMAS (REGULATION) ACT, 1952.

(Received the assent of the Rajpramukh on the Sixth Day of November 1952).

An Act to make provision for regulating exhibitions by means of cinematographs.

Preamble.

WHEREAS it is expedient to consolidate and amend the law regulating exhibitions by means of cinematographs;

It is hereby enacted as follows :—

Short title, extent and commencement.

1. (1) This Act may be called the Mysore Cinemas (Regulation) Act, 1952.

(2) It extends to the whole of the State of Mysore.

(3) This section shall come into force at once; the remaining provisions of this Act shall come into force on such date as the Government may, by notification in the *Mysore Gazette*, appoint.

Definitions.

2. In this Act, unless the context otherwise requires—

(*a*) 'cinematograph' includes any apparatus for the representation of moving pictures or series of pictures;

(*b*) 'Government' means the State Government;

(*c*) 'place' includes a house, building, tent and any description of transport, whether by water, land or air;

(*d*) 'prescribed' means prescribed by rules made under this Act.

Cinematograph exhibitions to be licensed.

3. Save as otherwise provided in this Act, no person shall give an exhibition by means of a cinematograph elsewhere than in a place licensed under this Act or otherwise than in compliance with any conditions and restrictions imposed by such licence.

Licensing authority.

4. The authority having power to grant licences under this Act (hereinafter referred to as the Licensing authority) shall be the District Magistrate.

Restrictions on powers of Licensing authority.

5. (1) The Licensing authority shall not grant a licence under this Act, unless it is satisfied that—

(*a*) the rules made under this Act have been substantially complied with, and

(*b*) adequate precautions have been taken in the place, in respect of which the licence is to be given, to provide for the safety of persons attending exhibitions therein.

(2) Subject to the foregoing provisions of this section and to the control of the Government, the Licensing authority may grant licences under this Act to such persons as that authority thinks fit and on such terms and conditions and subject to such restrictions as it may determine.

(3) Any person aggrieved by the decision of a Licensing authority refusing to grant a licence under this Act may, within such time as may be prescribed, appeal to the Government or to such officer as the Government may specify in this behalf and the Government or the officer as the case may be, may make such order in the case as it or he thinks fit.

(4) The Government may, from time to time, issue directions to licensees generally or to any licensee in particular for the purpose of regulating the exhibition of any film or class of films, so that scientific films, films intended for educational purposes, films dealing with news and current events, documentary films or indigenous films secure an adequate opportunity of being exhibited, and where any such directions have been issued those directions shall be deemed to be additional conditions and restrictions subject to which the licence has been granted.

Power of Government or local authority to suspend exhibition of films in certain cases.

6. (1) The Government in respect of the whole of the State or any part thereof, and the District Magistrate in respect of the district within his jurisdiction, may, if he is of opinion that any film which is being publicly exhibited is likely to cause a breach of the peace, by order, suspend the exhibition of the film and during such suspension no holder of the licence shall exhibit such film in the State, part or district, as the case may be.

(2) Where an order under sub-section (1) has been issued by a District Magistrate, a copy thereof, together with a statement of reasons therefor, shall forthwith be forwarded by the person making the same to the Government, and the Government may either confirm or discharge the order.

(3) An order made under this section shall remain in force for such period not exceeding two months from the date thereof as may be specified in the order, but the Government may, if it is of opinion that the order should continue in force, direct that the period of suspension shall be extended by such further period as it thinks fit.

Penalties for contravention of this Act.

7. If the owner or person in charge of a cinematograph uses the same or allows it to be used, or if the owner or occupier of any place permits that place to be used in contravention of the provisions of this Act or of the rules made thereunder, or of the conditions and restrictions upon or subject to which any licence has been granted under this Act, he shall be punishable with fine which may extend to one thousand rupees and, in the case of a continuing offence, with a further fine which may extend to one hundred rupees for each day during which the offence continues ;

Provided that a notice in writing has been given to the owner or to the person in charge of a cinematograph or to the occupier as the case may be and he has not complied with the provisions of the Act or of the Rules made thereunder or of the conditions or restrictions aforesaid referred to in the said notice within a period of fifteen days from the date of receipt of the said notice.

Power to revoke licence.

8. Where the holder of a licence has been convicted of an offence under section 7, the licence may be revoked by the Licensing authority.

An appeal shall lie to the Government against the said order of revocation within thirty days from the date thereof.

Power to make rules.

9. (1) The Government may, by notification in the *Mysore Gazette*, make rules to carry out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may—

(*a*) prescribe the terms, conditions and restrictions, if any, subject to which licences may be granted under this Act;

(*b*) provide for the regulation of cinematograph exhibitions for securing the public safety;

(*c*) prescribe the time within which and the conditions subject to which an appeal under sub-section (3) of section 5, or section 8 may be preferred;

(*d*) prescribe the fees payable for the grant or renewal of licences, for the grant of duplicate licences and for inspection of the licensed premises, or any part thereof.

Power to exempt.

10. The Government may, by order in writing, exempt, subject to such conditions and restrictions as it may impose, any cinematograph exhibition or class of cinematograph exhibitions from any of the provisions of this Act or of any rules made thereunder.

Repeal.

11. The Cinematograph Act, 1923 (Mysore Act XII of 1923), is hereby repealed.

By Order and in the name of the Rajpramukh,

N. R. JAYA RAO,
Legal Remembrancer and
Secretary to Government,
Law Department.